AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et seq., the "Act"),

Southwest Marine of Samoa, Inc.
P.O. Box 1299
Pago Pago, American Samoa 96799

is authorized to discharge storm water runoff from marine railway facilities through discharge Serial Numbers 001, 002, and 003 located at or near:

Discharge Nos.	Latitude	Longitude
001	14° 16' 34" S	170° 41' 28" W
002	14° 16' 35" S	170° 41' 30" W
003	14° 16' 34" S	170° 41' 28" W

to receiving waters named Pago Pago Harbor in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein, and in the attached enclosure of EPA Region IX's "Standard Federal NPDES Permit Conditions," CFR 40 Parts 100 to 135, July 1, 2001, updated as of June 3, 2002.

This permit shall become effective on

This permit and the authorization to discharge shall expire at midnight,

Signed this _____ day of _____ 2003.

For the Regional Administrator

Catherine Kuhlman, Acting Director
Water Division

I. EFFLUENT LIMITATIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge storm water from outfall serial numbers 001 and 003.

   a. The effluent from both outfalls shall be sampled prior to discharge to Pago Pago Harbor.

   b. Such discharges shall be limited and monitored by the permittee as specified below:

TABLE 1: Effluent Limitations & Monitoring Requirements

Effluent Characteristic	Maximum Allowable Discharge Limitations Units Specified						Monitoring Requirements	
	Average Monthly	Average Weekly	Daily Max	Average Monthly	Average Weekly	Daily Max	Monitoring Frequency (2)	Sample Type (1)
Flow (MGD)[4]	N/A[5]	N/A	N/A	(3)	(3)	(3)	Continuous	N/A
TSS	---	---	---	---	---	---	Quarterly	Grab
Oil and Grease	---	---	---	---	---	20 mg/l [6]	Quarterly	Grab
pH	6.0 to 8.6 standard units (daily limit)						Quarterly	Grab
Chromium VI	--	--	--	--	--	1,100 µg/l [7]	Quarterly	Grab
Copper, Total	--	--	--	--	--	2.9 µg/l	Quarterly	Grab
Lead, Total	--	--	--	--	--	220 µg/l	Quarterly	Grab
Mercury, Total	--	--	--	--	--	2.1 µg/l	Quarterly	Grab
Tributyltin	--	--	--	--	--	0.422 µg/l	Quarterly	Grab
Zinc, Total	--	--	--	--	--	95 µg/l	Quarterly	Grab
Arsenic III	--	--	--	--	--	69 µg/l	Quarterly	Grab
Benzene	--	--	--	--	--	5,100 µg/l	Quarterly	Grab
Ethylbenzene	--	--	--	--	--	430 µg/l	Quarterly	Grab
Toluene	--	--	--	--	--	6,300 µg/l	Quarterly	Grab

2. The permittee is authorized to discharge storm water from outfall serial number 002 (from in-ground oil/water separator).

a. The effluent from the outfall shall be sampled prior to discharge to Pago Pago Harbor.

b. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Maximum Allowable Discharge Limitations Units Specified						Monitoring Requirements	
	Average Monthly	Average Weekly	Daily Max	Average Monthly	Average Weekly	Daily Max	Monitoring Frequency	Sample Type (1)
Flow (MGD)[4]	N/A[5]	N/A	N/A	(3)	(3)	(3)	Continuous	N/A
Oil and Grease	---	---	---	---	---	20 mg/l[6]	Quarterly	Grab
pH	6.0 to 8.6 standard units (daily limit)						Quarterly	Grab

NOTES:

(1) All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches and at least 24 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The grab sample shall be taken during the first thirty minutes of the discharge.

(2) The monitoring frequency may be reduced from "quarterly" to "annually", upon approval by ASEPA and USEPA, should four consecutive quarters show results below the corresponding effluent limitation. The monitoring frequency may only be reduced for the following listed effluent parameters: chromium VI, copper, lead, mercury, tributyltin, zinc, arsenic III, benzene, ethylbenzene and toluene. For those parameters which are at or exceed the corresponding permit effluent limitation the monitoring frequency shall remain quarterly.

(3) Monitoring and reporting required; no limits set at this time.

(4) MGD = Million gallons per day.

(5) N/A = Not Applicable

(6) mg/l = milligrams per liter

(7) µg/l = micrograms per liter

B. DISCHARGE SPECIFICATIONS

The Permittee's discharge shall be:

1) substantially free from materials attributable to sewage, industrial wastes, or other activities of man that will produce objectionable color, odor, or taste, either of itself or in combinations, or in the biota.

2) substantially free from visible floating materials, grease, oil, scum, foam, and other floating material attributable to sewage, industrial wastes, or other activities of man.

3) substantially free from materials attributable to sewage, industrial wastes, or other activities of man that will produce visible turbidity or settle to form objectionable deposits.

4) substantially free from substances and conditions or combinations thereof attributable to sewage, industrial wastes or other activities of man which may be toxic to humans, other animals, plants, and aquatic life or produce undesirable aquatic life.

In accordance with 24.0206(c)(2)(B) of the American Samoa Water Quality Standards, Pago Pago Harbor discharge prohibitions include but are not limited to:

1) dumping or discharge of solid waste;

2) dredging and filling activities; except as approved by the EQC in accordance with the Environmental Quality Act (Title 24, ASCA);

3) hazardous and radioactive waste discharges; and

4) discharge of oil sludge, oil refuse, fuel oil, or bilge water, or any other wastewater from any vessel or unpermitted shoreside facility (20.1714 ASCA).

In accordance with 24.0206(c)(2)(B)(4) of the American Samoa Water Quality Standards, no wastewaters are permitted to be discharged to the Harbor from any vessel or unpermitted shoreside facility.

C. REPORTING AND MONITORING

1) Reporting of Monitoring Results
Monitoring results obtained during the previous 3 months shall be summarized and submitted on forms to be supplied by the Regional Administrator, to the extent that the information reported may be entered on the forms. The results of

all monitoring required by this permit shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this permit. Monitoring reports shall be postmarked no later than the 28th day of the month following the completed reporting period and be submitted quarterly. If monitoring results have not yet been obtained from Hawaii, the permittee shall submit a letter notifying EPA of the delay and requesting an extenstion. The first report is due 90 days after the effective date of this permit. Duplicate signed copies of these, and all other reports required herein, shall be submitted to USEPA and ASEPA at the following addresses:

Regional Administrator
Environmental Protection Agency, Region 9
Pacific Insular Area Program
Attention: CMD-5
75 Hawthorne Street
San Francisco, CA 94105

Director
ASEPA
Executive Office Bldg
Pago Pago
American Samoa 96799

and;

Southwest Marine Corporate Division
Environmental Department
P.O. Box 13308
San Diego, CA 92170-3308

2) Twenty-Four Hour Reporting of Noncompliance
The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances to the following person or their office:

Director, American Samoa Environmental Protection Agency
(684) 633-2304

If the permittee is unsuccessful in contacting the person above, he/she shall report by 9 a.m. on the first business day following the noncompliance. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3) Definitions

a) A "grab" sample means any individual sample collected in less than 15 minutes.

b) The "daily maximum" concentration means the measurement made on any single discrete sample or composite sample.

4) Monitoring Modification

Monitoring, analytical, and reporting requirements may be modified by the Regional Administrator upon due notice.

II. AMBIENT WATER COLUMN & SEDIMENT MONITORING REOPENER

Ambient water column and sediment monitoring is not required at this time. However, EPA may reopen the permit for the imposition of ambient water column and sediment monitoring in order to assess pollutant sources which have reasonable potential to cause or contribute to the exceedence of water quality criteria in Pago Pago Harbor. This decision shall be based on past and present Pago Pago Harbor receiving water and sediment monitoring data and studies, being collected and conducted by environmental agencies and harbor dischargers.

III. STORM WATER POLLUTION PREVENTION PLAN

The Permittee shall develop and implement a Storm Water Pollution Prevention Plan.

The plan shall include both source identification and practices and program elements to reduce pollutants entering Pago Pago Harbor. The permittee may refer to one or more of the following documents:

Best Management Practices Guidance Document for the Shipbuilding and Repair Industry. Task #N1-89-3. NASSCO, San Diego, CA, January 1992;

Guides to Pollution Prevention -- The Marine Maintenance And Repair Industry. EPA/625/7-91/015, Washington, DC: October 1991; and

Environmental Best Management Practices - BMP's: Portland Ship Repair Yard. May 1992.

The plan should be designed to account for Southwest Marine Railway's unique operations and frequent rainfall events.

A. POLLUTION PREVENTION COMMITTEE

A pollution prevention committee within the plant organization shall be appointed. These members are responsible for developing the storm water pollution prevention plan and assisting the plant manager in its implementation, maintenance, and revision.

B. SOURCE IDENTIFICATION

The Permittee shall identify all activities and significant materials which may potentially be significant pollutant sources. Specifically, source identification requirements shall include:

1) A site plan of the facility shall be prepared by a qualified land surveyor and shall include all topographic features of the site including, but not limited to; existing elevation contours, building structures, roadways and parking areas, drainage structures, drainage pipes, major equipment installations, utilities, walls, berms, fence lines, property boundary, and ground cover. The topographic site plan shall be prepared at a scale of 1 inch = 20 feet, with contour intervals of 0.5 feet. Spot elevations shall be shown for slabs, wall tops, and berm toes and tops. Invert elevations shall be shown for all drainage infrastructure. The site plan shall extend to 100 feet beyond the boundary limits of the facility, and shall be referenced to the appropriate American Samoa horizontal and vertical datum. The site plan should be submitted to USEPA no later than 6 months after approval of this permit. Any questions regarding this site plan should be addressed to Peter Peshut, ASEPA, 684-633-2304;

2) a list of significant spills and leaks of toxic or hazardous pollutants that occurred at the facility;

3) a study, including a monitoring program, to determine of the source of oil or fuel causing the sheen to appear on the soil and in the harbor during storms;

4) a narrative description of significant materials that have been treated, stored, or disposed in a manner to allow exposure to storm water between the time of three years prior to the date of the issuance of this permit and the present;

5) a risk identification and assessment/material inventory identifying the various sources at the plant that contribute pollutants to storm water discharges associated with industrial activity;

6) a narrative description of the method of on-site storage, disposal and materials management practices employed to minimize contact of these materials with precipitation and storm water runoff;

7) a narrative description of materials loading and access areas;

8) a prediction of the direction of flow and estimates of the types of pollutants that are likely to be present in storm water discharges for each area of the plant that generates storm water discharges associated with industrial activity;

9) a summary of existing sampling data describing pollutants in storm water discharges; and

10) completion of Waste Minimization Assessment worksheets 1-11 from *EPA's Guides to Pollution Prevention-The Marine Maintenance and Repair Industry* (EPA/625/7-91/015 October 1991).

C. SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN

In accordance with 40 CFR '112.3 and '112.7, the Permittee is required to develop a Spill Prevention Control and Countermeasure Plan.

D. SOURCE CONTROL BEST MANAGEMENT PRACTICES (BMPS)

This section of the Pollution Prevention Plan requires the development and implementation of BMPs designed to control pollutants entering surface waters. The following is a brief list of BMPs that should be considered in the development of your overall storm water management plan. The permittee shall review the BMPs listed below and describe, in detail, how and when they will be implemented. The term "where/when feasible" shall not be used when drafting the BMPs. The BMPs should be detailed enough to specify their feasibility. If certain recommended BMPs are not practicable, the PPP shall describe why they are not, and shall make necessary alterations to the BMPs to prevent, to the maximum extent practicable, pollutants entering surface waters. The Pollution Prevention Committee shall make use of the results of Source Identification requirements above when developing the BMPs:

1) **Control of Blasting Debris and Paint Overspray**:

BMPs shall be established to ensure that:

a) curtains are used on the sides of the railway when sandblasting and painting operations are under way to prevent the discharge of spent sandblasting materials, abrasives, paint chips, and paint overspray to the receiving water;

b) debris from the drydock is swept and removed several times while a ship is in for repair and, at a minimum, at the end of each workday;

c) flooring is completely covered during the time of sandblasting to prevent grit material from falling through spaces in the slatted railway floor;

d) grit-blasting wastes are properly stored under cover in order to prevent any contact with storm water;

e) grit-blasting wastes are collected, tested, stored and disposed in accordance with federal hazardous waste management rules, if applicable.

f) blast materials from paint waste is separated in order to reuse blast material and lower potential toxicity of spent grit blast;

g) when reuse is not possible on-site, spent blast material is properly disposed within the guidelines of RCRA and with approval from both USEPA and ASEPA;

h) drainage ditches are covered to prevent spent grit material from mixing with storm water;

i) employees who are involved in blasting or painting vessels are given proper training to ensure that they are aware of techniques necessary to minimize airborne grit material and overspray;

j) the type of grit-blasting media is described (i.e. steel shot, lead shot, etc.), as well as the reasons for selecting this type of media;

k) the use of alternative and less environmentally hazardous blasting media or techniques are considered. (i.e. plastic media blasting, water jet stripping, thermal stripping, dry ice pellets, or cryogenic stripping.);

l) an inventory control study is undertaken which will track the amount of new grit-blasting material brought on-site, and measure, by volume, the amount of used material that is stored on- site, the amount that is sent to the land-fills, the public works department, and other facilities for re-use (i.e. asphalt, or concrete producers);

m) a new type of containment structure is used on the dry-dock (i.e. Monarflex) to prevent any release of oversprayed paint or grit during painting or grit-blasting procedures; and

n) usage of paints containing arsenic, mercury, lead or tributyltin is prohibited.

2) **Control of Large Solid Materials**:

BMPs shall be established to ensure that:

a) scrap metal, wood, plastic, miscellaneous trash such as paper and glass, and industrial scrap and waste such as insulation, welding rods, packaging, etc., are removed from the drydock floor prior to each launching of vessel(s) back to the harbor and hauling of vessel(s) onto the maintenance area;

b) routine clean up of litter and debris in the yard and around the drydocks is performed to prevent accumulation and possible discharge to the receiving water;

c) used batteries, used oil, paint generators, scrap metal, and unused machinery in the yard are stored under cover or disposed of in a manner that is safe, legal, and prevents receiving water contamination;

3) **Hazardous Waste Management**:

BMPs shall be established to ensure that:

a) hazardous waste including used grit blast (if applicable), paint, oils, brake fluids, anti- freeze, batteries, petroleum products, degreaser, and tool coolants are properly labeled, recycled when possible or disposed of within the guidelines of RCRA;

b) hazard signs are posted in locations where there is a significant risk of spills, or fires, and "No Dumping" signs are installed where dumping is likely to occur or has occurred in the past;

c) trash bins have signs designating the type of material that is acceptable and/or unacceptable;

d) ships that are painted with anti-fouling or anti- corrosion agents containing arsenic, mercury, lead or tributyltin are not grit-blasted. (Permittee shall attain written certification from the owner or operator of the vessel);

4) **Oil, Grease, and Fuel Spills**:

BMPs shall be established to ensure that:

a) used oils are properly stored in clean, sealed, and approved containers and stored in a place (preferably in a covered shed or warehouse) that can contain the material in the event of a spill. (The contained area shall be

surrounded by a curb, dike, or berm to provide sufficient volume to contain 10% of the total of material stored or 110% of the largest container (which ever is the greater volume);

b) all paved storage areas are free of cracks and gaps and are sufficiently impervious to contain spills (Fuels and other hydrocarbons shall not be stored on asphalt surfaces);

c) during the drydocked periods, accidental spills of oil, grease, or fuel are prevented from reaching drainage systems, from discharge with the drainage water, or entering surface waters;

d) cleanup is carried out promptly after an oil or grease spill is detected;

e) during periods when ships are on the railway, oil containment booms are installed across the entrance to the railway and a tide slide is used to enhance boom effectiveness; and

f) procedures for deploying additional oil containment booms around spills and procedures for clean-up inside the boomed areas are developed.

5) **Paint and Solvent Spills**

BMPs shall be established to ensure that:

a) paints and solvents shall be mixed in designated paint mix areas only which have adequate secondary containment;

b) paint and solvent spills are treated as oil spills and must be contained until cleanup is complete;

c) liquid absorbent pads are kept in stock for emergency use;

E. TREATMENT CONTROL BEST MANAGEMENT PRACTICES (BMPS)

Though the primary emphasis for preventing storm water pollution should be placed on controlling the source of pollutants, the permittee shall also implement the following BMPs which focus on treating or containing contaminated storm water:

1) **Structural and Vegetative Controls**

BMPs shall be established to ensure that structural controls (i.e. oil/water separators, detention basins, etc.) and/or vegetative controls (i.e. grassy swales) are constructed if and when the implementation of all source control BMPs is unable to completely control storm water contamination.

2) **Operation and Maintenance of Oil/Water Separator**:

BMPs shall be established to ensure that:

a) oil/water separators and other storm water management devices such as storm drain catch basins are routinely inspected and cleaned to ensure their proper operation;

b) oil/fuel from the oil water separators are properly disposed of.

3) **Sediment and Erosion Prevention**

Structural improvements on the facility shall be made to minimize erosion and fuel contaminated sheet flow runoff for areas that have a high potential for significant soil erosion. Impervious or semi- impervious surfaces shall not be laid over soil which is contaminated with petroleum products without written approval from ASEPA and USEPA.

F. EMPLOYEE TRAINING AND VISUAL INSPECTIONS

The final section of the Pollution Prevention Plan requires the development and execution of certain program elements. By properly completing these requirements, the permittee will assure that the plan is effective. Specifically, this aspect of the plan shall include:

1) an employee and subcontractor training program emphasizing pollution prevention. (Employees must be educated about Best Management Practices (BMPs), and waste minimization. Furthermore, employees must understand the proper identification, handling, and disposal of hazardous waste, and Spill Prevention and Response procedures);

2) weekly visual inspections which entail completing:

a) a checklist to ensure that all aspects of storm water management plan are properly carried out; and

b) an incident report to document time, date, nature of problem, counter-measures taken, agencies notified, and recommended revisions to storm water management plan.

G. REPORTING

The Permittee shall complete the development of the Storm Water Pollution Prevention Plan within 90 days of the effective date of this permit and submit the plan within 90 days. The conditions within the plan shall be an enforceable element of this permit. If the plan is determined by USEPA or ASEPA to be insufficient or if

inspections suggest that the plan is ineffectual, this permit may be reopened for the imposition of site- specific Best Management Practices to be determined by USEPA and ASEPA.

Also within two months of plan submittal, the facility is required to submit notice of implementation of the plan and a schedule for improvements that cannot be completed within the 2-month time frame. If the plan has been delayed, the facility shall submit a notice of noncompliance which provides the justification for the delay and a schedule for plan completion and implementation.

Upon plan implementation, the Permittee shall submit a report quarterly certifying either compliance or noncompliance with all conditions of the above plan, any problems that occurred that had the potential of adding significant quantities of pollutants to the discharge, steps taken to mitigate those problems, and any new innovative procedures implemented or equipment used to improve the operations during each month.

All submittals shall be sent to USEPA, ASEPA, and Southwest Marine Corporate Division at the addresses above.

IV. **TOXICITY REOPENER**

Should any of the monitoring indicate that the discharge causes, has reasonable potential to cause, or contributes to excursion above a water quality criteria, the permit may be reopened for the imposition of additional water quality- based limits and/or whole effluent toxicity limits in accordance with 24.0207(a)(8) of the American Samoa Water Quality Standards. Also, this permit may be modified, in accordance with the requirements set forth at 40 CFR '122.44 and 124.14, to include appropriate conditions or limits to address demonstrated effluent toxicity based on newly available information, or to implement any EPA-approved new state water quality standards applicable to effluent toxicity.

V. **EPA STANDARD CONDITIONS** (see attached)